WP No. 1590 (SS) 2004

Hon'ble M.M. Ghildiyal, J

Heard Sri S.S. Chaudhary learned counsel for the petitioner, learned Standing Counsel, Smt. Beena Pandey for respondents no. 2 and Sri D.S. Patni, learned counsel for the respondents no. 4 to 7.

Learned counsel for the petitioner has submitted that the question raised in the present writ petition is squarely covered by the judgement dated 5.10.2001 of this court passed in Writ Petition No. 860 (SB) of 2001 (Sukh Dev Vs. State of Uttaranchal and others).

Learned counsel for the respondents is also agreed that the case be decided in terms of aforesaid judgement provided that the options of the petitioners submitted before the Department are found to be genuine.

In view of the aforesaid statement, the writ petition is decided in terms of Judgement dated 5.10.2001 passed by this court in Writ Petition No. 860 (SB) of 2001 (Sukh Dev Vs. State of Uttaranchal and others) provided that the options of the petitioners submitted before the Department are found to be genuine.

24.12.2004 **(M.M. Ghildiyal, J.)**

S.K.S